

Town of LeRay

ZBA Work Session Minutes

July 1, 2026

CALL TO ORDER

On July 1, 2026, the Town of LeRay Zoning Board of Appeals held a Work Session meeting in the Conference Room of the Town of LeRay Municipal Building. The meeting was called to order at 6:00 PM by Chairperson Oatman.

ROLL CALL

Member Mushtare: ☒ Present ☐ Absent
Member O'Brien: ☒ Present ☐ Absent
Member Favret: ☒ Present ☐ Absent
Chairperson Oatman: ☒ Present ☐ Absent

Additionally, Lee Shimel (Zoning Enforcement Officer), and Morgan Melançon (Secretary to Planning & Zoning) were in attendance.

ACCEPTANCE OF WORK SESSION MINUTES

The minutes from the June 3, 2026 work session meeting were reviewed by the Board. A motion was made by Member Mushtare and seconded by Member O'Brien to accept the minutes as drafted. The vote went as follows:

Member Mushtare: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member O'Brien: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Member Favret: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent
Chairperson Oatman: ☒ Yes ☐ No ☐ Abstain ☐ Recuse ☐ Absent

The motion passed.

WORK SESSION

1. **Area Variance Application for Alexandra Villarreal, located at 22256 Twin Oaks Drive, tax parcel #83.08-2-43.**

The Board reviewed the Area Variance application for the proposed replacement of an existing detached garage. The existing single-stall garage was 18 feet wide, and the applicant proposed to increase the garage width to 23 feet in order to accommodate a two-stall garage. The submitted drawing was reviewed and noted to be hand-drawn and not to scale, making it difficult to determine exact distances or evaluate alternative placement options.

Adjoining Property Owner Correspondence

Correspondence was received from an adjoining property owner objecting to the requested variance. Information from the NYS Department of State 'Zoning Board of Appeals' Technical Series regarding "persons aggrieved" was discussed. It was noted that, in order for a person to be considered aggrieved,

there generally must be some showing of special injury, damage, or impact to property or property rights beyond general opposition to an application.

The adjoining property owners' concerns included the proposed garage's proximity to the shared property line, snow and ice, runoff, driveway location, and possible impacts to the use and enjoyment of their property. The Board considered whether the proposed garage would impede the adjoining property owners' use of their property or otherwise create a detriment to nearby property. The Board also considered whether the concerns raised could be addressed through design changes or conditions, such as measures to control snow and runoff.

Setback Measurements and Eaves

Mr. Shimel stated that setbacks were measured from the property line to the building and that the Zoning Code did not appear to address roof eaves or overhangs for purposes of setback measurement. Clarification was needed as to whether the distance between the existing house and garage had been measured from the walls or from the eaves/overhangs.

Site Conditions and Property Layout

Chairperson Oatman had driven by the property and observed that the side yard appeared relatively straight in the area being discussed. The location of the driveway and property line was reviewed, including whether the proposed garage or any driveway expansion would affect the adjoining property.

It was noted that there was an existing pool behind the home and that the property appeared to slope toward the rear. Mr. Shimel stated that elevation information would be helpful.

The Board discussed the applicant's desire for the proposed garage to match the existing home, including the hip roof design. The Board noted that the existing home had a hip roof, which slopes in multiple directions, but also discussed whether a different roof style could be considered in order to reduce impacts or provide more flexibility in the garage design.

Alternative Placement and Design Options

Alternative placement and design options were considered, including whether the garage could be moved farther back, shifted away from the property line, narrowed, or otherwise modified to reduce the requested variance. Member Mushtare stated that Mr. Villarreal had indicated he would be willing to revise the placement of the proposed garage to provide a six-foot setback.

Area Variance Factors

The area variance balancing factors were reviewed in preparation for the public hearing.

Regarding neighborhood character and detriment to nearby properties, Chairperson Oatman stated that she did not believe the proposal would create a detriment to the adjoining property based on the information reviewed at that time.

Regarding feasible alternatives, it was noted that additional questions should be asked during the public hearing about whether the requested variance could be reduced through changes to the garage location, size, or design.

Regarding substantiality, it was noted that the requested five-foot setback, where ten feet was required, represented a 50% deviation from the required side yard setback. The Board agreed that the request was substantial as presented.

ADJOURNMENT

A motion to adjourn the work session was made by Member Mushtare and seconded by Member O'Brien. The vote went as follows:

Member Mushtare:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member O'Brien:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent
Member Favret:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☒ Absent
Chairperson Oatman:	☒ Yes	☐ No	☐ Abstain	☐ Recuse	☐ Absent

The motion passed and the meeting adjourned at 6:25 PM.

Respectfully submitted,
Morgan R. Melançon
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Secretary to Planning and Zoning